

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DAVID M. WILLIAMS,

Defendant Below,
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below,
Appellee.

No. 650, 2007

Court Below: Superior Court
of the State of Delaware in and
for New Castle County

Cr. ID No. 9803018202B

REVISED ORDER

This 14TH day of February 2008, it appears to the Court that:

(1) The Order dated January 23, 2008 in this case was issued in error and is hereby WITHDRAWN.

(2) On December 18, 2007, the Senior Court Clerk issued a notice to show cause why this appeal should not be dismissed, pursuant to Supreme Court Rule 29(b), based on this Court's lack of jurisdiction to entertain an appeal from a decision that was not a final order. The appellant has failed to respond to the notice to show cause within the required ten-day period; therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Supreme Court Rules 3(b) and 29(b), that the within appeal is **DISMISSED**.

BY THE COURT:

/s/ Carolyn Berger
Justice